

**MINUTES** of a Special Meeting of the Village Board of Trustees held Tuesday, 31, 2011 at 2:00PM  
Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT:** Deputy Mayor W. Allison; C. Christensen; W. Davidson; R. Stewart; B. Winslow  
Police Chief Hulse; Clerk/Treasurer S. Wilber; CEO B. Lyon; Assistant Director of Public Works B.  
Jensen

**ABSENT:** Mayor R. Church.; Trustee M. Christensen; Attorney Ed Brockman; Director of Public Works  
B. Bodine; Parks Director D. Doyle; Fire Chief R Simpson

**News Media present:** None

**PUBLIC:** None

Deputy Mayor Allison called the meeting to order at 2:00PAM

MOTION by Trustee Winslow, seconded by Trustee Davidson to accept the following bids for cold  
milling, crushing and screening of asphalt paving projects:

Paving:

Project #1 South Avenue – Hanson Aggregates \$42,900.00

Project #2 Clinton Street and Main Street – Hanson Aggregates \$63,362.50

Project #3 Water Treatment Plant driveway – Collins Paving \$34,540.00

Cold Milling, Crushing and Screening of Asphalt:

Project #1,2 &3 – Decca Paving \$1.25/sq.ft, approximate total of \$17,000

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

MOTION by Trustee C. Christensen, seconded by Trustee Davidson to approve Resolution No. 47-2011  
Authorizing Sale at public Auction and the Mayor to Execute and Deliver Deeds Conveying title of the  
various premises in the Vicinity of McKinley Ave. in the Village of Penn Yan.

**WHEREAS**, the Village of Penn Yan presently owns premises consisting of the following:

**Davis Street** – The entire length thereof within the Village of Penn Yan, running  
generally east to west from the Village line to Geneva Street, being approximately 45.00  
feet in width throughout.

**Geneva Street** - From a straight line extension to the East of the northerly line of  
McKinley Avenue, thence in a northwesterly direction to its terminus at Davis Street, being  
approximately 45.00 feet in width throughout.

**Swarthout Street** - The entire length thereof within the Village of Penn Yan, running generally  
east to west from the Village line to Geneva Street, being approximately 45.00 feet in width  
throughout.

**Watkins Street** - The entire length thereof running generally northwest to southeast, from  
Davis Street to East Main Street, being approximately 45.30 feet in width throughout; and

**WHEREAS**, a certificate indicating that said premises are surplus has been made by Department Public  
Works Director Brent Bodine; and

**WHEREAS**, as the Board of Trustees intends to act as “Lead Agency” on the sale of these premises, such  
sale appearing to have no significant effect upon the environment and may therefore be a “Type II” action.

**NOW THEREFORE BE IT RESOLVED,**

1. That the Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency  
pursuant to 6NYCRR § 617 for the purposes of the environmental review of this action.

2. The Board of Trustees of the Village of Penn Yan determines that no environmental impact  
will occur by the adoption of this local law, the adoption of such Local Law is a “Type II” Action under  
SEQRA and therefore no environmental review will be undertaken.

3. The above described real property is hereby declared to be surplus real property and not  
required for use by the Village of Penn Yan for governmental purposes. Such property may accordingly be

sold or otherwise transferred as hereinafter provided.

4. Said property shall be offered for sale at public auction with appropriate terms of sale.

5. The Mayor is authorized and directed to execute deeds for the transfer of title of the premises hereinbefore described in the Village of Penn Yan, as well as any other document(s) required to effectuate said transfer of title and to deliver such executed deed to the buyer of said premises upon receipt of the agreed upon purchase price.

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

Carried

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to promote Erik Decker to the temporary position of DPW Supervisor, Group VIII, Step 9 at a rate of \$24.99 per hour for the time frame of December 20<sup>th</sup> – February 15<sup>th</sup> and retroactively pay him \$2,523.77 for the service.

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

Carried

MOTION by Trustee Davidson, seconded by Trustee C. Christensen to approve Derek Christensen and Dan Doyle attend the Introduction to Fire Officer Course June 6-8<sup>th</sup>, cost is \$98, plus mileage.

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

Carried

MOTION by Trustee C. Christensen, seconded by Trustee Davidson to approve Resolution No. 48-2011 Budget Transfers

**INCREASE:**

<b>Account Id</b>	<b>Description</b>		<u>Fund Totals</u>
<b>1-A962</b>	<b>Budgetary Provisions - DPW Equipment Reserve</b>		
<b>1-A511</b>	<b>Reserve Funding - DPW Equipment</b>		
<b>1-A-2665</b>	<b>Sale of Equipment</b>		
<b>1-A -0000-0-000</b>	<b>GENERAL FUND</b>		
1-A -1010-0-000	BOARD OF TRUSTEES	50	
1-A -1010-4-480	Board of Trustees-Prof Fees/Publications	2	
1-A -1620-0-000	BUILDINGS		
		4	
1-A -1620-4-420	Buildings-Phone/Internet/Utilities	5	
		1,33	
1-A -1620-4-500	Buildings-Supplies & Materials	0	
1-A -8010-0-000	ZONING		
		16	
1-A -8010-1-100	Zoning-Personal Services	5	
1-A -8015-0-000	HISTORIC PRESERVATION		
		35	
1-A -8015-1-100	Historic Preservation-Personal Services	0	
		<u>2,39</u>	
		<u>2</u>	
			<b>2,39</b>
			<b>General 2</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u>2,39</u>

**DECREASE:**

<b>Account Id</b>	<b>Description</b>		
<b>1-A -0000-0-000</b>	<b>GENERAL FUND</b>		
1-A -1910-4-400	Special Items-UNALLOCATED INSURANCE	1,05	

		9		
1-A -8020-0-000	PLANNING		51	
1-A -8020-1-100	Planning-Personal Services	5		
			81	
1-A -9030-8-800	Employee Benefits-FICA/Medicare	8		
			2,39	
		<u>2</u>		
				<b>2,39</b>
				<b>General</b>
				<b>Electric</b>
				<b>Sewer</b>
				<b>Water</b>
				<u>-</u>
				<u>-</u>
				<u>-</u>
				<u>2,39</u>
				<u>2</u>

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

Carried

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to approve Resolution No. 49-2011 Budget Amendments

**Increase**

**Decrease**

A-4320-00	Federal Aid-COPS Grant	25,947.64
A-3021-4-531	Police Grant	25,947.64

May  
31,2011

Mayor Church	Absent	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Absent		

Carried

Discussion: Trustee Stewart asked will this make all line items a positive. Clerk/Treasurer explained as of right now yes, we are still waiting for a couple of invoices.

**MOTION :** by Trustee C. Christensen, seconded by Trustee Davidson to pay current Village and Municipal bills as submitted.

**WARRANT**

Warrant:		Amount:
<b>Total Paid Before Warrant</b>		\$ -
<b>Current Warrant:</b>		
General		\$ 178,712.36
Electric		189,155.21
Sewer		30,889.40
Water		24,739.45
<b>Total Current Warrant Items</b>		\$ 423,496.42
	Trust	9,388.30
<b>TOTAL WARRANT</b>		\$ 432,884.72

Mayor Church	Absent	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Absent			Carried

Discussion: Trustee Stewart questioned the payment of safety glasses for Village employees. Clerk/Treasurer S. Wilber explained we do buy in bulk unless an individual has prescription glasses and we purchase a special pair for them. There is only a few of these.

Bruce Lyon explained he has 4 properties within Village limits with grass heights of 10 inches or more. Bruce stated these properties have been either abandoned or Banks have taken possession of the property. Bruce will contact a local contractor to mow the yards and the Village will send invoices for payment. If no payment received –will place the amount on next year’s (2012) taxes. 112 & 114 Benham Street, 130 Seneca Street and 125 Ogden Street.

MOTION by Trustee Davidson, seconded by Trustee Stewart to approve a contractor be hired to mow 4 Village properties and invoice owner and or banks. (112 & 114 Benham Street, 130 Seneca Street and 125 Ogden Street).

Mayor Church	Absent	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Absent			Carried

Trustee Stewart questioned the status of the audit regarding Village Court. S. Wilber has been trying to get a hold of the Auditors. She explained the Auditors did work directly with the Court. She will contact them again.

Trustee Winslow questioned the status on payment with Town of Jerusalem. S. Wilber explained they have a meeting this Thursday. We should receive payment from Jerusalem Friday or Monday.

**ADJOURNMENT:**

At 2:12PM MOTION by Trustee Davidson, seconded by Trustee C. Christensen to adjourn the Special Village Board meeting.

Mayor Church	Absent	Trustee Davidson	Absent	
Trustee Allison	Aye	Trustee Stewart	Absent	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Absent			Carried

Other Village comments or issues.

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Mary Ann Martin, Deputy Clerk